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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,460	01/16/2002	Louis Robert Litwin	PU 020015	4037

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EXAMINER	
MILLER, BRANDON J	
ART UNIT	**PAPER NUMBER**
2683	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,460	LITWIN, LOUIS ROBERT	
	Examiner	Art Unit	
	Brandon J Miller	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 9-17, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urs in view of Ishida.

Regarding claim 1 Urs teaches a method for remotely accessing caller ID information (see col. 3, lines 21-23 & 26-30). Urs teaches establishing a network connection by a wireless device to a voice mail device (see col. 3, lines 26-36). Urs teaches transmitting by the wireless device a request for at least one of the caller ID information and the messages from a voice mail device (see col. 3, lines 26-31). Urs teaches receiving by the wireless device at least the caller ID information and, if available the messages from the voice mail device (see col. 5, lines 22-25 & 30-31). Urs teaches storing at least the caller ID information in the wireless device for subsequent rendering, including displaying and/or producing sound, when the caller ID information is provided (see col. 3, lines 51-59). Urs does not specifically mention storing messages, if available in the wireless device. Ishida teaches storing messages in a wireless device for subsequent rendering, including displaying and/or producing sound (see col. 8, lines 13-15, 32-37, & 43-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include storing messages, if available in the

wireless device because this would allow for efficient access of caller-related information obtained from a messaging device.

Regarding claim 2 Ishida teaches storing messages in a message storage area for subsequent playback on the wireless device (see col. 8, lines 13-15 & 30-37).

Regarding claim 3 Urs teaches displaying caller ID information on the wireless device subsequent to a termination of the connection between a wireless device and a voice mail device (see col. 3, lines 56-59 and col. 5, lines 27-32 & 35-38).

Regarding claim 4 Urs and Ishida teach a device as recited in claim 1 except for playing back the messages on a wireless device subsequent to a termination of the connection between the wireless device and a caller ID/answering machine. Urs does teach displaying caller-related information on the wireless device subsequent to a termination of the connection between a wireless device and a voice mail device (see col. 3, lines 56-59 and col. 5, lines 27-32 & 35-38). Ishida does teach playing back stored messages on a wireless device (see col. 8, lines 13-15 & 32-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include playing back the messages on a wireless device subsequent to a termination of the connection between the wireless device and a caller ID/answering machine because this would allow for improved flexibility in message retrieval when accessing a message storage device.

Regarding claim 5 Urs teaches playing back messages on a wireless device, during a connection between a wireless device and a message storage area (see col. 5, lines 20-25).

Regarding claim 6 Urs teaches receiving a user entry input by a wireless device corresponding to a selection of a caller ID entry stored in the wireless device; and automatically calling an individual corresponding to the caller ID entry (see col. 3, lines 51-65).

Regarding claim 7 Urs teaches a wireless communication device that is a cellular phone (see col. 2, lines 57-60).

Regarding claim 9 Urs teaches caller ID information that is at least one of a time of a call, a date of a call, a name of a caller, and a telephone number of the caller (see col. 3, lines 20-25).

Regarding claim 10 Urs teaches a combination of wired and wireless networks comprises a cellular phone network (see col. 3, lines 8-12).

Regarding claim 11 Urs teaches a wireless device for remotely accessing caller ID information and the wireless device comprising; sending a request for at least one of the caller ID information and messages across a network (see col. 3, lines 21-23 and col. 5, lines 20-25 & 25-27). Urs teaches receiving at least the caller ID information and, if available the messages (see col. 5, lines 22-25 & 30-31). Urs teaches storing at least the caller ID information in the wireless device for subsequent rendering, including displaying and/or producing sound, when the caller ID information is provided (see col. 3, lines 51-59). Urs does not specifically mention storing messages, if available in the wireless device. Ishida teaches storing messages in a wireless device for subsequent rendering, including displaying and/or producing sound (see col. 8, lines 13-15, 32-37, & 43-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include storing messages, if available in the wireless device because this would allow for efficient access of caller-related information obtained from a messaging device.

Regarding claim 12 Ishida teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 13 Urs teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 14 Urs and Ishida teach a device as recited in claim 11 except for at least one speaker for playing back the messages on a wireless device subsequent to a termination of the connection between the wireless device and a caller ID/answering machine. Urs does teach displaying caller-related information on the wireless device subsequent to a termination of the connection between a wireless device and a voice mail device (see col. 3, lines 56-59 and col. 5, lines 27-31 & 35-38). Ishida does teach at least one speaker for playing back the messages on a wireless device (see col. 8, lines 13-15 & 32-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include at least one speaker for playing back the messages on a wireless device subsequent to a termination of the connection between the wireless device and a caller ID/answering machine because this would allow improved flexibility in message retrieval when accessing a message storage device.

Regarding claim 15 Urs teaches at least one speaker for playing back messages, during a connection between the wireless device and a voice mail device (see col. 5, lines 20-25).

Regarding claim 16 Urs teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 17 Urs teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 19 Urs teaches a device as recited in claim 9 and is rejected given the same reasoning as above.

Regarding claim 20 Urs teaches a device as recited in claim 10 and is rejected given the same reasoning as above.

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urs in view of Ishida, and Ozaki.

Regarding claim 8 Urs and Ishida teach a device as recited in claim 1 except for a wireless device that is a personal digital assistant (PDA). Ozaki teaches a wireless device that is a personal digital assistant (PDA) (see col. 8, lines 10-13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a wireless device that is a personal digital assistant (PDA) because this would allow for transmission of voice messages from a remote terminal to a variety of wireless devices.

Regarding claim 18 Urs, Ishida, and Ozaki teaches a device as recited in claim 8 and is rejected given the same reasoning.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bowater U.S. Patent 6,282,269 discloses voice mail on the Internet.

Namekawa U.S. Patent 6,237,027 discloses electronic mail system, computer device and remote notification method.

Muller U.S. Patent 6,295,341 discloses a network based voice mail with call screening.

Astarabadi U.S. Patent 5,822,405 discloses automated retrieval of voice mail using speech recognition.

Lee U.S. Patent 6,351,637 discloses a method of transmitting a caller's identification number to a mobile instrument from a home base station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 15, 2004

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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